

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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CARINE BRETOUS,

Plaintiff,

- against -

THE PAVILLION AT QUEENS FOR
REHABILITATION AND NURSING,

Defendant.
----- x

DEARIE, District Judge

ORDER

Case No. 19-CV-696 (RJD) (RLM)

It is most unfortunate that good-faith efforts to resolve this matter have been placed in jeopardy by Plaintiff's unexpected rejection of a settlement arrived at with all counsel's participation and apparent agreement. The Court appreciates the frustration of Defendant's counsel and at the same time concludes that Plaintiff's rejection of the agreement no doubt results from a misunderstanding of select settlement provisions oftentimes standard in similar agreements. It is not the Court's responsibility to advise litigants, but the Court does urge Plaintiff, with the guidance of her counsel, to consider seriously the current position.

Further, with full appreciation of the positions of the parties, and in conformity with the spirit—if not the letter—of New York General Obligations Law § 5-336, the Court considers it appropriate to decline to enforce the settlement at this time. Plaintiff is given until close of business on May 14, 2021, to consider her position. Unless resolved, the case will be placed on the ready-trial calendar at the earliest practical date.

SO ORDERED.

Dated: Brooklyn, New York
April 30, 2021

/s/ Raymond J. Dearie
RAYMOND J. DEARIE
United States District Judge